IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 15608 of 2007(G)

PETITIONER:

JOHN HABEL, AGED 72 YEARS, S/O.HABEL, VELLARASSERIL HOUSE, SOUTH PAMPADY P.O. PAMPADY VILLAGE.

BY ADV. SRI.P.HARIDAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF CO-OPERATION, THIRUVANANTHAPURAM.

2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, KOTTAYAM.

3. ASSISTANT REGISTRAR, DEPARTMENT OF CO-OPERATION, KOTTAYAM.

4. SPECIAL SALE OFFICER, PAMPADY S.C.B.GROUP, OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), KOTTAYAM.

5. PAMPADY SERVICE CO-OPERATIVE BANK LTD.NO.831, REPRESENTED BY ITS SECRETARY, PAMPADY P.O.

(WP(C) 15608/07 G)

R1 TO R4 BY GOVERNMENT PLEADER (SHRI P.K. RAVIKRISHNAN)

R4 BY ADV. SRI.T.A.SHAJI
SMT.T.V.NEEMA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO. 15608 OF 2007 G

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE SALE NOTICE IN FORM NO. 8 DATED 15.3.2007.

EXT.P2 TRUE COPY OF THE REPRESENTATION DATED 8.5.2007 SUBMITTED TO THE SECOND RESPONDENT.

EXT.P3 TRUE COPY OF THE REPRESENTATION DATED 8.5.2007 SUBMITTED TO THE THIRD RESPONDENT.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 15608 OF 2007 G

Dated this the 2nd August, 2007

JUDGMENT

Property of the petitioner was sold in recovery proceedings and purchased by the Bank. After arguing some time, counsel for petitioner submits that the petitioner may be given some time to pay off the amount due to the respondent Bank. The Writ Petition is disposed of directing that if the petitioner pays off the entire amount due to the Bank within three months from today, the sale shall stand set aside and the documents of title will be handed over to the petitioner. The respondent Bank shall serve a Statement on the petitioner showing the amount payable by the petitioner, within three weeks from today.

K. M. JOSEPH, JUDGE

kbk.